

**AMENDMENT TRANSMITTAL LETTER**Docket No.  
SPINE 3.0-437 CIPCIPCIPCIPCONApplication No.  
10/642,528Filing Date  
August 15, 2003Examiner  
B. E. PellegrinoArt Unit  
3738

Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok

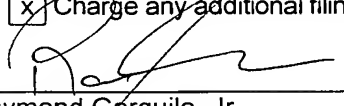
Invention: AXIALLY COMPRESSIBLE ARTIFICIAL INTERVERTEBRAL DISC HAVING LIMITED  
ROTATION USING A CAPTURED BALL AND SOCKET JOINT WITH A SOLID BALL AND  
COMPRESSION LOCKING POST**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	20	- 20 =		x	
Independent Claims	3	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					

- ☒ Large Entity ☐ Small Entity
- ☐ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. 12-1095 in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095  
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
Raymond Garguilo, Jr.  
Attorney Reg. No.: 50,930Dated: July 25, 2005LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 518-6342

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

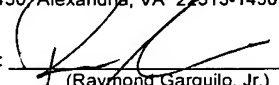
Dated: July 25, 2005

Signature:  (Raymond Garguilo, Jr.)



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 25, 2005

Signature:   
(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437  
CIP CIP CIP CIP CIP CON XIV  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Errico et al.

Application No.: 10/642,528

Filed: August 15, 2003

For: AXIALLY COMPRESSIBLE ARTIFICIAL  
INTERVERTEBRAL DISC HAVING  
LIMITED ROTATION USING A  
CAPTURED BALL AND SOCKET JOINT  
WITH A SOLID BALL AND  
COMPRESSION LOCKING POST

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: Group Art Unit: 3738  
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: Examiner: B. E.  
Pellegrino  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Official Action mailed January 25, 2005, Applicants submit the following amendments and remarks.

A Petition for a three-month extension of the shortened statutory time period for response to said Official Action from April 25, 2005 up to and including July 25, 2005, is transmitted herewith.